Court Eyes CIA Role in Slander Case

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RICHMOND, Va., May 31 (AP)—A Federal judge today explored the role of the Central Intelligence Agency in blocking a trial in the case of a man who contends he was falsely accused of being a Soviet agent.

Chief Judge Clement F. Haynsworth Jr. of the Fourth U. S. Circuit Court of Appeals said circumstances in the case represented "an extraordinary instance of the exercise of governmental authority."

His comments came as the court heard an appeal from Eerik Heine, a Canadian of Estonian background, who has charged Juri Raus, self-described CIA agent, with slander in describing him as an "instrument of Soviet intelligence."

Raus' argument that he should be given the "absolute privilege" afforded governmental employes in the performance of their duties was upheld by a lower court in Baltimore.

Raus had contended he was acting under orders to warn "members of Estonian emigre groups, who were sources of foreign intelligence for the agency (CIA)" of Heine's alleged status as a Soviet agent.

Haynsworth said this seemed to be a situation in which highly placed officials instructed subordinates to "go out and slander an individual."

He asked why the CIA, if it were vitally interested in national security, did not "leave the defendant to fend for himself."

An attorney for Raus said this would have left the CIA with the prospect of paying a "money judgment" to a person it believed was an enemy agent.

Haynsworth said this at least would "give the plaintiff a chance to vindicate himself, which he doesn't have now."

The court took the case under advisement.